

### **Claim Rejections 35 USC §103**

Claims 1, 4-6, 8, 10-16, 19-21, and 47-51 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,055,567 issued to Ganesan et al. (hereinafter “Ganesan”) in view of U.S. Patent No. 6,141,666 to Tobin et al. (hereinafter “Tobin”). Applicant respectfully traverses the rejection.

Applicant makes no representation that the cited references are prior art. This response and any remarks or comments included herein are not intended to be, and are not to be interpreted as, an admission that any cited references are prior art. Applicant reserves the right to dispose of any cited reference under 35 U.S.C. § 102 and/or 35 U.S.C. § 103, including but not limited to antedating any one or more of the cited references.

**Claim 1** recites in a network-based system, a computer-implemented method comprising (emphasis added):

- presenting a page on a network site sponsored by a hosting entity;
- offering as part of the page an option to view user-specific data, wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity;
- registering the particular user with the hosting entity;
- whereupon activation of the option on the hosting entity’s page by a particular user of the hosting entity, linking to the third party’s network site, wherein the linking comprises addressing a universal resource locator (URL) associated with the third party’s network site and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page;
- enabling access to the third party’s network site without registering the particular user with the third party; and
- *presenting*, to the particular user, *the new page at the third party’s network site* that incorporates the user-specific data and that identifies the hosting entity.

In order for a *prima facie* case of obviousness to be proper, the Office is obligated to show that each of the Graham Factors has been satisfied including showing where each and every feature in the claim is taught in the references. M.P.E.P. §§ 2141 (II) and 2143.03. In the present case, the Office has failed to meet this burden.

Take for example the features of “presenting, to the particular user, the new page at the third party’s network site. . . .” The Office, referring to figure 10 of Ganesan, contends that Ganesan teaches these features. Applicant disagrees. For the Office’s convenience, the portion of Ganesan’s written description that appears

to be cited and relied on by the Office is reproduced directly below. Please note, the Final Office Action did not cite where in the Ganesan reference the passage was obtained.

-- entities within the system 50. These flowchart diagrams assume that the user entity 52 is an HTML browser client, the banking entity 54 is the primary point of presence for a subscriber to the system 50, the billing entity 56 controls bill presentment, and the EPCS entity 58 controls bill payment.

15 In FIG. 10, a subscriber at the user entity 52 accesses the web site of the banking entity 54 in step 200. In return, the banking entity 54 presents a branded interface to the user entity 52, including a sign-on request prompt in step 202. FIG. 16 shows an example of such a branded interface 120,  
20 wherein the sign-on request prompt includes a username field 122 and a password field 124.

Ganesan, Col. 16, lines 10-21.

In making out the pending rejection, the Office contends that the “banking entity” teaches “a hosting entity” and that the “biller” teaches a third party. Final Office Action, page 3, third paragraph. For the Office’s convenience, this portion of the Final Office Action is reproduced directly below.

Regarding claim 1, Ganesan teaches a page on a network site sponsored by a hosting entity (banking entity) (see fig. 8-16); an option to view user-specific data, wherein the user specific data is located at a network site owned by a third party that is independent from the hosting entity (biller) (see fig. 6, 7 and 10); registering users with the hosting entity (see fig. 11);

Final Office Action, page 3, third paragraph.

The Office’s contention is misplaced because in the Ganesan reference, the contented hosting entity (e.g., the bank) presents the contented “new page.” This is to say, that instead of presenting the new page “*at the third party’s network site*” (emphasis added), Ganesan teaches presenting the contented new page at the hosting entity’s network site.

As may be seen above, Ganesan states, “[t]he banking entity 54 presents a branded interface to the user entity 52. . . .” Emphasis added. Thus, the Ganesan reference teaches that the contented hosting entity presents the “branded interface.” Ganesan, figure 10, item 202. As a result, the combination of Ganesan/Tobin is improper because the combination of Ganesan/Tobin does not teach “presenting, to the particular user, the new page at the third party’s network site that incorporates the user-specific data and that identifies the hosting entity.”

Further, for the sake of argument only, while the contented hosting entity and third party may communicate as contended by the Office, this does not contradict Ganesan’s teaching that the bank (contended to teach the hosting entity) presents the branded interface. For the purpose of determining whether the feature

is taught by the combination the sole question is whether the bank (contended by the Office to be the hosting entity) or the biller (contended by the Office to be the third party) presents the contended new page. As shown above, Ganesan states that the bank (contended by the Office as the hosting entity) presents the contended new page, e.g., the branded interface. As a result, the combination of Ganesan/Tobin is improper because the combination fails to teach “presenting, to the particular user, the new page at the third party’s network site that incorporates the user-specific data and that identifies the hosting entity.”

The next passage of Ganesan cited by the Office further buttresses Applicant’s position. For the Office’s convenience, the passage that appears to be cited by the Office is reproduced directly below.

25 In FIG. 11, the user entity 52 submits a sign-on request with authentication credentials in steps 204. The banking entity 54 messages the EPCS entity 58 with the authentication credentials of the subscriber and the event is logged in step 206. The EPCS entity 58 provides a security ticket to the banking entity 54 in step 208. The banking entity 54 delivers the security ticket to the user entity 52 and presents its “home page” to user entity 52 in step 210. FIG. 17 shows an example of such a home page 130, which includes a “view bills” icon 132, a “view checking account” icon 134, and a “view savings account” icon 136.

Ganesan, Col. 16, lines 22-33.

Applicant draws the Office’s attention to lines 28-29 which state “[t]he banking entity 54 delivers the security ticked to the user entity 52 and presents its “home page” to user entity 52 in step 210.” Emphasis added. Once again, Ganesan teaches that the bank (contended by the Office as being the hosting entity) presents the “home page.”

Following the Office’s reasoning, the Office cites Ganesan, Col. 16, lines 50-59. In making out the rejection, the Office failed to specifically point out where in the Ganesan reference the included passage was excerpted.

50 In FIG. 13A, the subscriber selects the “gas bill” icon 146 and is linked to the billing entity 56 along with the security ticket in step 218. The billing entity 56 messages the EPCS entity 58 to log the “view bill” request event in step 220. The billing entity 56 presents detailed bill data to the user entity 52 in step 222. FIG. 19 shows a second modified home page 160 having a billing entity frame 162 presenting the detailed bill data, which includes the subscriber name, subscriber address, account number, usage, and cost, and a “pay bill” icon 164.

Ganesan, Col. 16, lines 50-59.

Figure 13A of Ganesan, to which the above passage corresponds, describes a scenario in which a user entity 52 links to a billing entity 56 to present a detailed

bill. Thus, in this scenario, the billing entity presents a detailed bill and not a new page that incorporates the user-specific data and that identifies the hosting entity.

Turing to the Remarks to Argument section in the Final Office Action, the Office misapprehends the Applicant's remarks regarding Tobin's teaching of a "flower shop and a marketing company are to have a preexisting relationship." Applicant was pointing out that the flower shop could not be independent of the marketing company because the flower shop in Tobin depends on the marketing company to provide web pages. Tobin specifically teaches that the flower shop and the marketing company are to have a preexisting relationship, e.g., the flower shop "depends" on the marketing company to provide web pages for the flower shop. Tobin, Col. 5, lines 1-18. As a result, Tobin fails to teach "at a network site owned by a third party that is independent from the hosting entity." In addition, Tobin teaches away from the feature of "by a third party that is independent from the hosting entity" because Tobin only provides examples in which the described entities have a preexisting relationship "e.g., the flower shop and the marketing company are to have a preexisting relationship."

Accordingly, the contended combination is not proper as Tobin only addresses situations in which the contended hosting entity and the contended third party have a relationship, e.g., the flower shop depends on the marketing company. Thus, in Tobin, the contended hosting entity and the third party are not independent as recited in claim 1.

For at least the above reasons, the pending rejection is improper. Removal of the pending rejection is requested and allowance is solicited.

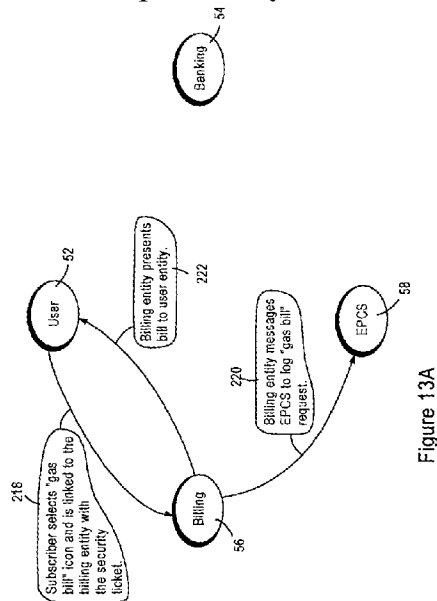
**Claims 4-6, 8, 10, and 11** are dependent claims which each depend, either directly or indirectly, from claim 1 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim 12** is allowable based on the same rationale as discussed with respect to claim 1. Removal of the pending rejection is requested and allowance is earnestly solicited.

**Claim 13** recites in a network-based system, a computer-implemented method comprising:

- presenting a page on a network site sponsored by a hosting entity to a particular user;
- requiring the particular user to logon with the hosting entity's network site;
- offering as part of the page an option to view user-specific data, wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity;
- whereupon activation of the option on the hosting entity's page by the particular user of the hosting entity, linking to the third party's network site, wherein the linking comprises supplying, to the third party network site, page formatting information to present a new page by the third party network, the page formatting information enabling an appearance of the new page that resembles the page presented by the hosting entity's network site;
- enabling access to the third party's network site without logging on the particular user with the third party's network site; and
- presenting, to the particular user, the new page at the third party's network site that incorporates the user-specific data and that has the appearance of the page presented by the hosting entity's network site.

For the Office's convenience, figure 13A of Ganesan and the corresponding passage from the written description (Ganesan, Col. 16, lines 50-59) on which the Office appears to rely are presented below. (Please note the Final Office Action does not specifically indicate that the comments specifically address claim 13.)



Ganesan, Figure 13A.

In FIG. 13A, the subscriber selects the "gas bill" icon 146 and is linked to the billing entity 56 along with the security ticket in step 218. The billing entity 56 messages the EPCS entity 58 to log the "view bill" request event in step 220. The billing entity 56 presents detailed bill data to the user entity 52 in step 222. FIG. 19 shows a second modified home page 160 having a billing entity frame 162 presenting the detailed bill data, which includes the subscriber name, subscriber address, account number, usage, and cost, and a "pay bill" icon 164.

Ganesan, Col. 16, lines 50-59.

The Office's reliance on the above teachings is misplaced. Figure 13A of Ganesan and the accompanying passage illustrate and describe a scenario in which a billing entity 56 presents a bill (item 222). Thus, Ganesan fails to teach "presenting, to the particular user, the new page at the third party's network site that incorporates the user-specific data and that has the appearance of the page presented by the hosting entity's network site" because the billing entity 56 never presents a new page "that has the appearance of the page presented by the hosting entity's network site." Further, the above passage fails to indicate that the billing entity 56 "shows" a second modified home page. Accordingly, the cited portions of the Ganesan reference fail to teach "presenting, to the particular user, the new page at the third party's network site that incorporates the user-specific data and that has the appearance of the page presented by the hosting entity's network site."

Additionally, the combination of Ganesan/Tobin is improper as Tobin teaches away from the claimed subject matter. M.P.E.P. §2141.02 (VI). Tobin specifically focuses on embodiments in which the contented hosting entity and the contented third party have a preexisting relationship. Thus, Tobin teaches away from the feature of "a network site owned by a third party that is *independent* from the hosting entity" (emphasis added), as the flower shop in Tobin depends on the marketing company (contented by the Office as teaching the third party) for the flower shop's web pages.

For at least the above reasons, the pending rejection is improper. Removal of the pending rejection is requested and allowance is solicited.

**Claims 14-16 and 19-21** are dependent claims which depend, either directly or indirectly, from claim 13 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not disclosed, taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim 22** recites in a network-based system, a computer-implemented method comprising (emphasis added):

- presenting a page on a network site sponsored by a hosting entity;
- enabling users to register with the hosting entity in order to access information on the network site;
- offering as part of the page an option to view user-specific data wherein the user-specific data is located *at a network site owned by a third party that is independent from the hosting entity*; and
- whereupon activation of the option on the hosting entity's page by a particular user of the hosting entity, linking to the third party's network site without requiring the particular user to first register with the third party and sending an identity *of the hosting entity to the third party so the third party identifies the hosting entity in a new page at the third party's network site* and presenting the new page at the third party's network site *to identify the hosting entity as sponsoring access to the user-specific data* and associates the user-specific data with a provider of the user-specific data.

The pending rejection to claim 22 is improper as the Office has failed to present a *prima facie* case of obviousness. In making out the pending rejection the Office has failed to show that the combination of Ganesan/Tobin teaches the features of “wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity;” “so the third party identifies the hosting entity in a new page at the third party's network site;” or “presenting the new page at the third party's network site to identify the hosting entity as sponsoring access to the user-specific data.” Absent some showing that the Ganesan/Tobin combination teaches these features, a *prima facie* case of obviousness does not exist. Moreover, as discussed previously, Tobin teaches away from the present claims as Tobin specifically focuses on embodiments in which the contended hosting entity and the contended third party have a preexisting relationship that causes the contended third party to depend on the contended hosting entity.

For at least the foregoing reasons, the pending rejection is improper. Removal of the pending rejection is requested and allowance is solicited.

**Claims 23, 24, and 52** are dependent claims which depend from claim 22 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not disclosed, taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.

**Claim 47** recites a computer-implemented method comprising (emphasis added):

- receiving, at a third party network site:
  - an identifier which identifies a financial institution;
  - a branding indicia of the financial institution; and
  - a token that identifies a customer of the financial institution;
- retrieving data associated with the customer of the financial institution using the token;
- *presenting a web page* at the third party network site *that is formatted, branded and styled to resemble a web page of the financial institution*, using the identifier and the branding indicia of the financial institution; and
- displaying the data associated with the customer of the financial institution on the web page in which the data is associated with the third party.

As claim 47 is not specifically rejected in the Response to Arguments section of the Final Office Action, no response is believed to be due. Applicant respectfully forwards the remarks from the preceding Response to those portions of the Final Office Action that are repeated from the preceding Office Action. In sum, the combination of Ganesan/Tobin is improper because Ganesan (relied on by the Office) for the feature of “presenting a web page at the third party network site that is formatted, branded and styled to resemble a web page of the financial institution” fails to do so. In particular, nowhere does Ganesan teach or suggest presenting the claimed web page “at the third party network site.” As noted above, and for the sake of argument only, at best Ganesan teaches a billing entity that “presents a detailed bill.” Further, in each passage describing a “branded interface” or a “home page” Ganesan specifically notes that the banking entity 54 presents the “branded interface” or “home page.” Ganesan, figure 10, item 202 and figure 11, item 210. See also Ganesan, Col. 16, lines 17 and 29-30.

In light of the foregoing, removal of the pending rejection is requested and allowance is earnestly solicited.

**Claims 48-51** are dependent claims which depend either directly or indirectly from claim 47 and are allowable for at least this reason. These claims are also allowable based on their own recited features, which are not disclosed, taught or suggested by the references of record. Accordingly, withdrawal of the rejection is respectfully requested.



### **Conclusion**

All of the claims are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

Dated: 4/2/09\_\_\_\_\_

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